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PUBLIC LAW 96-461—OCT. 15, 1980

94 STAT. 2049

Public Law 96-461
96th Congress

An Act

To authorize appropriations to the Secretary of Commerce for the programs of the National Bureau of Standards for fiscal years 1981 and 1982, and for other purposes.

Oct. 15, 1980

[S. 2320]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "National Bureau of Standards Authorization Act for Fiscal Years 1981 and 1982".

National Bureau
of Standards
Authorization
Act for Fiscal
Years 1981 and
1982.

AUTHORIZATION FOR PROGRAM ACTIVITIES

SEC. 2. (a) There are hereby authorized to be appropriated to the Secretary of Commerce, hereinafter referred to as the Secretary, to carry out activities performed by the National Bureau of Standards, the sums set forth in the following line items:

(1) Measurement Research and Standards, for fiscal year 1981, \$44,161,000, and for fiscal year 1982, \$52,577,000;

(2) Engineering Measurements and Standards, for fiscal year 1981, \$21,516,000, and for fiscal year 1982, \$24,667,000;

(3) Computer Science and Technology, for fiscal year 1981, \$11,603,000, and for fiscal year 1982, \$12,263,000;

(4) Core Research Program for Innovation and Productivity, for fiscal year 1981, \$12,800,000, and for fiscal year 1982, \$18,080,000;

(5) Technical Competence Fund, for fiscal year 1981, \$6,176,000, and for fiscal year 1982, \$8,794,000;

(6) Fire Research Center, for fiscal year 1981, \$1,253,000, and for fiscal year 1982, \$1,378,000;

(7) Central Technical Support, for fiscal year 1981, \$10,112,000, and for fiscal year 1982, \$24,623,000.

(b) Notwithstanding any other provision of this or any other Act, for fiscal years 1981 and 1982:

(1) of the total amount authorized under subsection (a)(1), not less than \$245,000 shall be available for the "Environmental Measurements Program" for fiscal year 1981 and \$270,000 for fiscal year 1982;

(2) of the total amount authorized under subsection (a)(2), not less than \$425,000 shall be available for the purpose of "Earthquake Hazards Engineering" for fiscal year 1981 and \$475,000 for fiscal year 1982;

(3) of the total amounts authorized under subsections (a)(1) and (a)(2), not less than \$1,000,000 shall be available for "Measurement Standards for the Handicapped" for fiscal year 1981 and \$1,100,000 for fiscal year 1982;

(4) of the total amount authorized under subsection (a)(4), \$2,000,000 is authorized for the purpose of "Automated Manufacturing Research Facility" for fiscal year 1981 and \$4,000,000 for fiscal year 1982; and

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(5) of the total of the amounts authorized under subsections (a)(4) and (a)(7), not more than \$6,123,000 shall be available for "Transfer to Working Capital Fund" for fiscal year 1981, and of the total of the amounts authorized under subsections (a)(1), (a)(2), (a)(4), and (a)(7), not more than \$11,245,000 shall be available for "Transfer to Working Capital Fund" for fiscal year 1982.

EXCESS FOREIGN CURRENCY

SEC. 3. In addition to the sums authorized in section 2, there is authorized to be appropriated not more than \$400,000 for fiscal year 1981, and not more than \$500,000 for fiscal year 1982, for expenses of the National Bureau of Standards incurred outside the United States, to be paid for in foreign currencies that the Secretary of the Treasury determines to be excess to the normal requirements of the United States.

NATIONAL TECHNICAL INFORMATION SERVICE

SEC. 4. In addition to the sums authorized in section 2, there is authorized to be appropriated the sum of \$8,140,000 for fiscal year 1981, and the sum of \$9,920,000 for fiscal year 1982, for the Assistant Secretary of Commerce for Productivity, Technology, and Innovation to carry out activities performed by the National Technical Information Service.

SALARY ADJUSTMENTS

SEC. 5. In addition to the sums authorized to be appropriated by this Act, such additional sums as may be necessary to make any adjustments in salary, pay, retirement, and other employee benefits which may be provided for by law are authorized to be appropriated for fiscal years 1981 and 1982, and, if the full amount necessary to make such adjustments is not appropriated, the adjustments shall be made proportionately from section 4 and in the line items in section 2(a) in a manner reflecting the extent to which the amount of each such line item in section 2(a) is attributable to employee benefits of the type involved.

AVAILABILITY OF APPROPRIATIONS

SEC. 6. Appropriations made under the authority provided in this Act shall remain available for obligation, for expenditure, or for obligation and expenditure for periods specified in the Acts making such appropriations.

TRANSFER OF FUNDS

SEC. 7. Funds may be transferred among the line items listed in section 2(a), but neither the total funds transferred from any line item nor the total funds transferred to any line item may exceed 10 per centum of the amount authorized for that line item in section 2(a), unless:

(1) thirty calendar days have passed after the Secretary or his designee has transmitted to the Speaker of the House of Representatives, to the President of the Senate, to the chairman of the Committee on Science and Technology of the House of Representatives, and to the chairman of the Committee on Commerce, Science, and Transportation of the Senate a written report containing a full and complete explanation of the transfer involved and the reason for it, or

(2) before the expiration of thirty calendar days the chairmen of both the Committee on Science and Technology of the House and the Committee on Commerce, Science, and Transportation of the Senate have written to the Secretary to the effect that they have no objection to the proposed transfer.

FACILITIES IMPROVEMENT

SEC. 8. Section 14 of the Act of March 3, 1901 (15 U.S.C. 278(d)) as amended, is further amended by striking out "\$75,000" and inserting in lieu thereof "\$250,000".

15 USC 278d.

INTERNATIONAL ACTIVITIES

SEC. 9. In order to develop and strengthen the expertise of the National Bureau of Standards in science and engineering, to enhance the Secretary's ability to maintain the Bureau's programs at the forefront of worldwide developments in science and engineering, and to cooperate in international scientific activities, the Act of March 3, 1901 (15 U.S.C. 271-278p), as amended, is further amended by inserting immediately after section 16 the following new section:

"SEC. 17. (a) The Secretary is authorized, notwithstanding any other provision of law, to expend such sums, within the limit of appropriated funds, as the Secretary may deem desirable, through the grant of fellowships or any other form of financial assistance, to defray the expenses of foreign nationals not in service to the Government of the United States while they are performing scientific or engineering work at the National Bureau of Standards or participating in the exchange of scientific or technical information at the National Bureau of Standards.

Foreign
nationals,
financial
assistance.
15 USC 278g.

"(b) The Congress consents to the acceptance by employees of the National Bureau of Standards of fellowships, lectureships, or other positions for the performance of scientific or engineering activities or for the exchange of scientific or technical information, offered by a foreign government, and to the acceptance and retention by an employee of the National Bureau of Standards of any form of financial or other assistance provided by a foreign government as compensation for or as a means of defraying expenses associated with the performance of scientific or engineering activities or the exchange of scientific or technical information, in any case where the acceptance of such fellowship, lectureship, or position or the acceptance and retention of such assistance is determined by the Secretary to be appropriate and consistent with the interests of the United States. For the purposes of this subsection, the definitions appearing in section 7342(a) of title 5 of the United States Code apply. Civil actions may be brought and penalties assessed against any employee who knowingly accepts and retains assistance from a foreign government not consented to by this subsection in the same manner as is prescribed by section 7342(h) of title 5 of the United States Code.

NBS employees,
foreign
assistance
and
compensation.

"(c) Provisions of law prohibiting the use of any part of any appropriation for the payment of compensation to any employee or officer of the Government of the United States who is not a citizen of the United States shall not apply to the payment of compensation to scientific or engineering personnel of the National Bureau of Standards."

REPEAL OF LIMITED AUTHORIZATION

SEC. 10. Section 18 of the Act of March 3, 1901, as amended (15 U.S.C. 278h), is further amended by: (1) repealing subsection (b); and (2) removing the designation "(a)" from the remaining paragraph.

EFFECTIVE DATE OF ORGANIC ACT AMENDMENTS

15 USC 278g
note.

SEC. 11. The effective date of sections 8 and 9 of this Act shall be October 1, 1980.

Approved October 15, 1980.

LEGISLATIVE HISTORY:

HOUSE REPORT No. 96-949 accompanying H.R. 7113 (Comm. on Science and Technology).

SENATE REPORT No. 96-683 (Comm. on Commerce, Science and Transportation).
CONGRESSIONAL RECORD, Vol. 126 (1980):

May 9, considered and passed Senate.

July 21, H.R. 7113 considered and passed House; passage vacated and S. 2320, amended, passed in lieu.

Sept. 30, Senate concurred in House amendments with an amendment.

Oct. 2, House concurred in Senate amendment.

